

and honor, to a love of justice and to a desire of peace with all nations."

By a late trial before the U. S. circuit court for the district of Georgia, the principle has been established, that the individual states have a right to impose a tax on the U. S. Bank, or its branches, established within their territorial jurisdiction. It is said, however, that an appeal will be made to the supreme court.

(Balt. Evening Post.)

FROM THE AURORA.

THE PROGRESS OF AMITY.

The order of the British council, published in yesterday's *Aurora*, is considered only as a matter of course.

By the British proclamation of blockade of May, 1805, they undertook to shut our ships out of the continent of Europe; and Bonaparte seconded the motion by his Berlin decree of the following November.

Then followed the British declaration of the 31st Dec. 1805, as a rider upon negotiation, and negotiation totally negatory—but mark the words of the declaration—"If the enemy should carry his threats into execution, (that is, the Berlin decree) and if neutral nations (America) should, contrary to all expectations, acquiesce in such usurpations, his majesty might probably be compelled, however reluctantly, to retaliate, in his own just defence, and to issue orders to his cruisers, to adopt towards neutrals any hostile system to which those neutrals shall have submitted from his enemies."

That is in plain English, if America did not oppose the French decrees by arms, or in other words, go to war against France, although it appears America was not included, the British cruisers would be ordered to plunder American ships.

Next the British finding that no one could second their motions and carry their plans so effectually into execution; issued the orders of council of the 7th January, 1807, by which the British prohibited neutrals a coasting voyage in Europe.

Bonaparte happened to be at Milan when he heard of the British orders of council of Nov. 11, 1807; and as those British decrees declared all vessels, with every thing on board, trading to or from any port of Europe except England, France, he determined on a little bit of retaliation also; he did not indeed go quite so far as to say they should be prize for carrying their own productions; but that no vessel that entered an English port should enter French ports, afterwards; and as all the colonial produce of France, wherever found, was determined to be good prize by the British; so all British manufactures or productions, wherever found, should be *bona prize*.

The orders of council were followed by a proclamation sanctioning the outrage on our ships, and authorizing the imprisonment of persons from on board neutrals in time of peace.

But the subject is better exposed in the following resolutions, moved in the British house of lords, on the 29th March last, by lord Holland—

1. That it appears to this house, that his majesty has been advised, without any alleged provocation from the United States of America, to issue orders in council, on and subsequent to the 11th of November, 1807, for interrupting nearly the whole of the commerce of the said states with the continent of Europe; for limiting such trade to be carried on in future through British ports only (with the exception of neutral and allied ports in certain cases) the only exposure to such restrictions and duties, and even prohibition, as the government of Great Britain may think fit to impose upon it; and for confiscating the property of the citizens of the said states, in all cases where the same shall be accompanied by particular documents certifying the place of its growth or manufacture.

2. That it appears to this house, that previous to the issuing of the said orders in council, a negotiation had been carried on between this country and the United States of America for the maintenance of peace and friendship between them, and that a treaty had been actually signed respecting some of the most material points in discussion; that a desire had been expressed by the government of the said U. States for the addition of certain other provisions to the said treaty, and that a proposal was made for renewing the negotiation for that purpose; but that this offer was abruptly and intemperately rejected by his majesty's ministers.

3. That at the time when the said orders were issued, his majesty's ministers had recently received from the ministers of the United States in this kingdom assurances that the injurious decrees of his majesty's enemies had not, in any one instance, been executed against the commerce or navigation of the United States; and that from all that had passed subsequent to the issuing of the said decrees, his majesty's ministers had every reason to conclude, that any attempt of the enemy so to execute the same, would be decidedly resisted by the government of the United States; whereby it must have happened, either that the said decrees would have continued to be wholly nugatory and ineffectual, or that the enemy, by endeavoring to enforce the same, would have driven the United States into a closer connection with this country.

4. That it appears to this house, that the order issued by his majesty in council, on the 7th of January, 1807, was not intended to interrupt neutrals in a commerce of discharge from port to port of the enemies' territories; that such was

understood to be its legal construction by those who were in his majesty's service at the time the said order was issued; and that an explanation to that effect was given by them to the Danish minister, in an official note dated on the 17th of March, 1807.

That in a note from the American secretary of state to Mr. Eiskine, dated on the 20th of the same month, considerable uneasiness was expressed, under an apprehension of a contrary interpretation of the said order; that although the above mentioned note was actually received by his majesty's present ministers in the month of April last, yet no steps have been taken thereon up to the present hour, for removing the unfounded apprehensions of the American government on a point to which they appear to have attached so much importance: That by this omission, much unnecessary irritation has been suffered to prevail in America, long after it was in the power of his majesty's ministers to have effectually removed the same; and fresh obstacles to conciliation and friendship have thus wantonly been interposed.

5. That it is, therefore, the opinion of this house, that the said orders are in themselves unjust and impolitic; that the issuing of them at the time, and under the circumstances above mentioned, was an act of the utmost improvidence and rashness; and that by abruptly breaking off a friendly negotiation, and withholding a satisfactory explanation on a point, on which it might have been given with so much ease and advantage, his majesty's ministers have acted in disregard of our true policy, which is to cultivate the friendship of a nation, whose interests and prosperity are so intimately interwoven with our own; and have conducted themselves in a manner the least adapted to enable his majesty to maintain that maritime superiority, on which the greatness, and even the existence of this empire so much depends.

DIED, at Alexandria, on the 28th ult., after a short and severe illness, Mrs. ANN WARREN, consort of Mr. WILLIAM WARREN, one of the Managers of the Philadelphia and Baltimore Theatres. This lady was the delight of her friends, the ornament of the American Stage, and altogether one of the most interesting actresses of the times. Her original name was Brunton.

From the New-York Gazette.

An interesting Speech, in support of the numerous petitions against the famous "Orders in council," was lately delivered before the House of Commons by Mr. Henry Brougham. The following brief sketch of the author is taken from the American edition of this pamphlet recently published in Philadelphia.

"In the list of extraordinary men, of whom the British Isles have produced more than any other section of the world, may be enumerated Henry Brougham, the author of the present speech. At a very early period of his life he gave presages of his future eminence. For in the sixteenth year of his age he became known to the public, by a series of papers in the Transactions of the Royal Society in London, on an abstract point of physical science, which were written with such purity of style and manifested so much acute and diligent investigation, that he was immediately elected a member of that, perhaps, the most learned institution of Europe. Not long after receiving this honourable testimonial of his precocious attainments, he commenced a course of legal studies, and having completed them, was called to the Scotch bar. We still vividly recollect the powers of Eloquence which we have heard him there display.—But the cares of his profession did not wholly engross Mr. Brougham's attention. With these he mingled habitually the cultivation of polite literature, and the study of politics.

In 1803, when only twenty four years old, he published a work in two large volumes, entitled, "The Colonial Policy of the European Powers," which, though it may not have widely circulated in the U. States, has undoubtedly been better received in Europe than any production on political economy since "Smith's Wealth of Nations."

Nearly about the same time, he in conjunction with several literary friends, without any venal motive, established the Edinburgh Review, to which he has liberally contributed. The articles on moral and political subjects are principally executed by him.

Of the general merits of this celebrated journal, or of the particular excellence of Mr. Brougham's composition contained in it, we shall say nothing; public sentiment having already assigned to each, confessedly, the highest rank in the department of criticism.

Two years ago, he quitted the Scotch metropolis, and settled in London, as a theatre more auspicious to the exercise of his superior talents. Since the exchange of his residence, he has published a well known pamphlet, "On the State of the Nation."

Recently, Mr. Brougham was retained, at the express recommendation of Lord Grenville, as counsel for the petitioners against the orders of council, and in that capacity, delivered in the House of Commons, the ensuing speech, which throughout Britain has been admired and approved.

This speech, we presume, must be equally interesting to this country, as treating of topics in which every portion of our community, has a lively proximate concern. It exhibits pretty nearly the same views as Mr. Baring's admirable pamphlet, but being a subsequent production, it has added to the matter, which the industrious research of his predecessor had collected, many new proofs and illustrations supplied by his own sources of information, and the thorough examination of the subject held at the bar of the house of commons.

The neutral rights of America, have, indeed, found in Mr. Brougham a most intelligent and able defender. It they be not

ultimately recognized, it cannot be imputed to any deficiency in their vindication. This speech alone furnishes them with a shield round and complete.

Mr. Brougham is now in the twenty-eighth year of his age. He has already attained very great consideration among the leading men of this country. To complete his reputation it only remains for him to enter parliament, which, we understand he will shortly do. When this event shall happen, we predict, from his various and profound knowledge, especially of the complicated fiscal and commercial interests of the British empire, combined with an eloquence, at once strong, copious and embellished, that he will be pronounced the most able debater, and accomplished statesman of that great and enlightened assembly.

The following extract from the speech of R. Brougham, Esq., clearly demonstrates, that the *retroactive* effect which Commerce now experiences, result not from our "permanent" embargo, but solely from the "permanence" British orders in council. This extract plainly proves that while those orders exist, it is much cheaper and less hazardous for us to let our "produce rot at home" than in foreign ports, and the only effect that could possibly be produced by raising the embargo at the present juncture, would be to glut the British and W. India market, and to expose our commerce to the ravages of the cruisers of France and England, under the sanction of their countervailing decrees.

"The house will do me the justice to recollect that I have uniformly been treating this question as it has been made out by the evidence at your bar, and have abstained from stating any argument unless grounded upon the supposition that the Americans acquiesced in the orders in council. I have indeed a large case before me, where I disposed to enquire into the probability of their resisting our measures, and to prove how much more likely they are to persist in their embargo than acquiesce in your decrees, by calling witnesses to show what the effects of that embargo would be upon our trade. But I have uniformly proceeded upon the supposition that the embargo is to be revoked, and that the Americans have acquiesced in your decrees—I say, I have stuck to the proof this proposition, that if that embargo were revoked to-morrow, and the orders in council still continued in force, they must be the means of ruining the commerce of the country. Now, I am to show you more distinctly how merchants are affected by that embargo, and how the Orders in Council independent of, and contrasted with, the embargo.

I am to set forth to you their apprehensions upon this supposition, to point out how it affects them in their mercantile transactions, and consequently to show you in the strictest possible mode, what effect your own measures *alone* will have on the trade of the country. The evidence of Mr. Bell, in pages 54 and 55, is what I particularly request the house may attend to on this point. I put the case to that gentleman: Suppose the American embargo were removed as to the continent, but not as to this country, and the Orders in Council to be revoked; and I then asked whether he would resume his exports to America? Mr. Bell, one of the greatest exporters to America in this country, and partner of the largest Virginia house in London, states in answer, that he certainly would begin again to export in such a case to America, and to a greater extent than if the embargo were removed as to this country, and continued as to the continent. On his being asked his reason for saying so, he states, that he conceives the Americans could not pay us for more than one third of the manufactured goods exported from this country without the market of the continent, as we consume very little of their produce ourselves.

On being asked if he had written his correspondence in America, respecting the shipments of the American produce to be sent to this country, he says that he has. To what effect has he written? He has desired that if America should think proper notwithstanding those orders in council to continue her trade with this country, his correspondents should nevertheless suspend for the present all business. The reasons he states are, that the produce they would send in return would not net any thing at all. He conceives that he must even get himself into debt by paying the necessary charges. Mr. Bell has been asked, what would he do supposing the embargo was wholly removed, and the orders in council continued; he answers, that he might ship in the expectation that the embargo would be taken off; but he still desires his correspondents or customers to be ruled in their conduct solely by looking at the orders in council. "Never mind the embargo," says he "don't look to any American or French decree, but so long as you see our government persist in those orders in council, do nothing, stir not a step, while they continue in force; it is these that molest us, these that render all traffic impossible, although the Americans should be reconciled to us, allied to us, although they should become fond of this country." "The reason for this being asked, it was repeated as formerly; it was the very reason which I have so often urged to you this night. In page 55, Mr. Bell was again questioned, but more particularly to this effect: You told the house that you were a great shipper of goods to America, and were paid partly by consignments of American produce, and partly by remittance of bills to the continent on American account. Now suppose the embargo were to continue in America with respect to this country, and further, that the orders in council in this country were revoked, would you under these circumstances resume the shipments from this country to America? He answers that he should resume his shipments to a great extent were this country to permit the trade from America to the continent. What! would you resume your shipments, whether the Embargo were continued or not, provided the orders in council are revoked? Yes, because I should get the two-thirds as before, although the remaining one-third should be wholly stopped or as is most likely by a circuitous channel. This intelligent witness was then questioned as follows, and I beg your attention, sir, most particularly to it. Suppose

that the embargo in America were removed altogether, both as it respects the continent and as it affects this country, and suppose that in this case the orders in council were continued, would you resume your shipments? "No," says Mr. Bell, "I would not." What! although the embargo were removed, and although there were nothing to frighten you in America from trading freely to that country? Certainly not, because the orders in council, by his supposition, are to be continued; those orders in council, which are established for the purpose of retaliation upon our enemy, of retarding upon him the evils of his own injustice, as the orders of the 7th of January called this sort of operation, those very orders in council which are made for the protection of our trade, because they continue, I am cut out from all traffic. What! are you to tell us that such would be the consequences of what we, with fostering and jealous care, have been enacting for the very purpose of making your commerce sprout and flourish? Are you to tell us that those orders in council actually stop your trade, suddenly put an end to your commerce, mercilessly stub it up, though sent down for its protection? Most unquestionably, says this witness, if they continue, I can trade none.—I may send my goods to Scotland or to Ireland or the colonies, but while those orders continue in force, I cannot possibly trade to America; I am locked out, by our own government, by those means which it has devised in its wisdom for my benefit; in its bounty, poured down upon me to the number of some dozen and a half, and is executing with its accustomed vigour, for the encouragement of my commerce and navigation. To state what the other witnesses said upon this subject would be exactly repeating the same words; better to refer in general to those parts of the printed evidence of Mr. Phillips, in pages 85, 10. Mr. Bell, 34, 53. Besides these, the testimonies of Mr. Glennie, Mr. Mullett and Mr. Mann, may all be referred to for the purpose of confirming this incontrovertible proposition, that but for the orders in council the enemy's decrees could have had no effect whatever, but to excite our ridicule, and if even the American embargo were to be taken off, your trade would not be revived, unless these orders are at the same time repealed."

PHILADELPHIA, June 28.

We have seen measured, and with pleasure announce it to the public, some Gooseberries growing in the Garden of Mr. Bernard M'Mahon, Seedsman, of this city, three inches and three-fourths in circumference, bearing very abundantly; and we perceive by his advertisement, that he means to exhibit specimens of them at his Seedstore, No. 39, South Second street, this day, for the gratification of the lovers of American Horticulture.

July 1.

On the 14th inst. the frigate Nemesis arrived at H. Rix from Cork and England; and the Halifax, sloop of war, from the W. Indies. The Nemesis brought, under her convoy, two transports, and two ordnance store ships. The transports brought 100 artillery, and 150 car artillery and drivers.—We understand it was reported, that the store ships brought 6000 stand of arms for the militia, 6,000,000 ball cartridges, and 5000 barrels of gun powder.

WASHINGTON CITY, July 1.

The following paragraph is from a Charleston paper of the 17th of June:

"A letter from Savannah, to a gentleman in Charleston dated the 12th instant states, that the French privateer L'Exchange and La Jeune Estelle, boarded off Amelia island, a brig from Baltimore, capt. Brownlowe, and took from her 203 barrels flour, and a quantity of other provisions, upon which they fixed their own prices, and gave the captain an order on a person in Charleston, for the amount."

There is but too much reason to believe that this is another case of violation of the embargo laws; the property having been taken by connivance of the captain of the brig. Indeed a Charleston paper states that it is known that the capt. had declared, previous to leaving port, that he would sell his whole cargo to the privateersmen, if he could get a good price for it. These instances of "plunder" and "barbarity," have not been rare of late.

July 4.

After a full investigation of such evidence & circumstances as have come to the knowledge of the court in the course of its proceedings, a correct statement of which is hereto annexed, and after mature deliberation upon the same, the following opinion on the amount of the testimony is respectfully submitted.

It has been proved to the satisfaction of this court, that Brigadier General James Wilkinson had been engaged in a tobacco trade with governor Miro of New-Orleans, before he entered the American army in 1791; that he received large sums of money for tobacco delivered in New-Orleans, in the year one thousand seven hundred and eighty-nine, and that a large quantity of tobacco, belonging to him, was condemned and stored in New-Orleans in that year; but it has not been proved, and after the fullest investigation and comparison of testimony in possession of the court it does not appear, that he has received any money from the Spanish government or any of its officers, since the year one thousand seven hundred and ninety-one, or that he has ever received money from that government or its officers for any other purpose but in payment for tobacco, and other produce, sold and delivered by him or his agents.

It has been stated by the General that after his damager tobacco had laid some years in store at New-Orleans, his agent there received for and remitted to him, the several sums, credited in the copy of an account current presented by him and marked No.—, and under the impression that the letters accompanying the said

account were written by his said agent Philip Nolan, the court think it highly probable that the statement is correct. They however do not consider the verity of it of the least importance in the case, since if he did receive the money as stated, the transaction was fully justifiable, and if he did not so receive it, there is no proof of his having received it at all.

It is therefore the opinion of this court, that there is no evidence of Brigadier General James Wilkinson's having at any time received a pension from the Spanish government, or of his having received money from the government of Spain or any of its officers or agents for corrupt purposes; and the court has no hesitation in saying, that as far as his conduct has been developed by this enquiry, he appears to have discharged the duties of his station with honor to himself and fidelity to his country.

City of Washington, June 28, 1808.

(Signed) H. BURBICK.

President.

T. H. CUSHING,

JONA. WILLIAMS,

Members.

July 2, 1808.

APPROVED,

(Signed) TH: JEFFERSON.

Messrs. Joseph and Jesse Dabbs.

As each of you reside out of the state and have no agent residing in the state who is known to me, I have taken this mode to give you notice that I shall on the first Monday in August next, between the hours of 10 in the morning and 4 in the afternoon of the same day, at Chancery Court-house, proceed to take the depositions of Thomas Read, Jr. Joseph Venable, Brookes Baker, Henry Lester, Chesley Daniel and Thomas Harris Spencer, to be read as evidence on the argument of exceptions taken to a report of commissioners in a suit in chancery depending in Charlotte court, wherein Joseph Dabbs and others are plaintiffs, and Catherine Dabbs and others, defendants, when and where you may attend if you please.

Charles Noel.

June 15, 1808.

By the Governor of the Commonwealth of Virginia,

A PROCLAMATION.

WHEREAS it is recommended to the executive, that Henry Thacker, David Thacker and Elisha Thacker, late of the county of Louisa, and who were committed to the jail of the district court held at Charlottesville, charged with highway robbery, have escaped from the said jail on the night of the 19th instant; and whereas it is also recommended to the executive that Reuben Marshall, late of the county of Albemarle, who was committed to the jail of said county charged with maiming and putting out the eyes of Francis Telfair, has also, on the night aforesaid, escaped from the jail of the said county of Albemarle; I have therefore thought fit, with the advice of the council of state, to issue this proclamation, hereby offering a reward of one hundred dollars each for apprehending and conveying to the jail of the district court aforesaid, the said Henry Thacker, David Thacker and Elisha Thacker. And I do also hereby offer a reward of one hundred and fifty dollars to any person or persons who shall apprehend and convey to the aforesaid jail of the county of Albemarle, the said Reuben Marshall. And to the end that the laws may be duly executed, and justice administered by the punishment of such crimes as the cuprits aforesaid are charged with, I do moreover enjoin all officers, civil and military, and exhort the good people of this commonwealth to use their best endeavors to apprehend and convey to the jails respectively aforesaid the said Henry Thacker, David Thacker and Elisha Thacker, and Reuben Marshall.

Given under my hand with the seal of the (L. S.) commonwealth annexed, at Richmond, this 25th day of June, 1808.

(Signed) Wm. H. Cabell.

Henry Thacker is slender, about 25 years of age, 5 feet 8 inches high, very narrow faced, as are also the other two, all three being brothers. David Thacker is very slender, about 5 feet 10 or 11 inches high. Elisha Thacker is also very slender, and perhaps about the height of David. Reuben Marshall is an active fellow, about 35 years of age, 5 feet 7 or 8 inches high, black eyes and light hair, and tolerably proportioned. He speaks quick, is impudent and subject to drink hard.

To Aaron Burr, Esq.

SIR, TAKE NOTICE that I shall apply on the fifth day of the August term of Henrico county court, which commences on the first Monday in August next, to award commissioners to take depositions in Kentucky to be read in evidence in three suits depending in said court, in which I am plaintiff and you are defendant.

Your obedient servant,

Robert Miller.

July 5, 1808.

To Aaron Burr, Esq.

SIR, TAKE NOTICE that I shall apply on the 5th day of the August term of Henrico county court, which commences on the first Monday in August next, to award commissioners to take depositions in Kentucky to be read in evidence in a suit depending in said court, in which I am plaintiff and you are defendant.

Your obedient servant,

Henry Schreeder.

July 5, 1808.

MYER MARKS, Respectfully informs the Parents & Guardians of Children, that he has OPENED A DAY SCHOOL,

In the cross-street leading to Court's Ferry, a few doors below Joshua West's coach shop, where he will teach READING, WRITING and ARITHMETIC. He assures those who think proper to favor him with their children, that the strictest attention will be paid both to their morals and education. His School room is in a pleasant and healthy situation. The terms are such, that he believes will meet with the approbation of all.